

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LORETTA TAYLOR, et al.,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF
CORRECTIONS, a governmental agency;
CHERYL STRANGE, an individual; and
TODD DOWLER, an individual,

Defendants.

No. 3:23-cv-06186-MLP

UNOPPOSED MOTION TO EXTEND
DEADLINE FOR DEFENDANT
DEPARTMENT OF CORRECTIONS
TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT
AND ~~[PROPOSED]~~ ORDER

Note on Motion Calendar:
JANUARY 19, 2024

MOTION

1. On December 27, 2023, Plaintiffs filed this lawsuit. On January 2, 2024, Plaintiffs served the Complaint and a summons on Defendant Washington State Department of Corrections (the Department) via the electronic service inbox of the Washington State Attorney General's Office (AGO), which is for original service of the summons and complaint in lawsuits against the State of Washington or state agencies and officials sued in their official capacities. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), the Department's deadline to answer or otherwise respond to the Complaint is currently January 23, 2024.

UNOPP. MOTION AND [PROP.] ORDER TO
EXTEND DEF. DOC ANSWER DEADLINE - 1
No. 3:23-cv-06186-MLP

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1 2. On January 2, 2024, Plaintiffs' counsel contacted AGO by email to request that
2 Defendants Cheryl Strange and Todd Dowler (together, the Individual Defendants) waive service
3 of a summons pursuant to Rule 4(d), attaching unsigned waiver forms.

4 3. On January 10, 2024, undersigned counsel entered an appearance on behalf of all
5 Defendants. Dkt. #5. On January 11, Defendants' counsel notified Plaintiffs' counsel by email that
6 the Individual Defendants agreed to waive service of a summons, attaching the signed waiver
7 forms. *See* Dkt. ##8, 9. Pursuant to Rule 12(a)(1)(A)(ii), the Individual Defendants' deadline to
8 answer or otherwise respond to the Complaint is March 4, 2024.

9 4. In his email to Plaintiffs' counsel on January 11, 2024, Defendants' counsel also
10 requested that Plaintiffs consent to an extension of the Department's deadline to answer or
11 otherwise respond to the Complaint until March 4, 2024, to enable all Defendants to file a
12 responsive pleading on the same day. On January 16, Plaintiffs' counsel consented to the extension
13 of the Department's deadline until March 4. This extension will also accommodate the demands
14 Defendants' counsel faces in other cases, including those pending before this Court.

15 5. Case management deadlines established by the Court may be modified "for good
16 cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). Good cause exists to grant an
17 extension of time here in order to permit all Defendants to respond to the Complaint
18 contemporaneously and to accommodate the conflicting demands Defendants' counsel faces in
19 other cases. For those reasons, pursuant to LCR 7(d)(1), Defendants respectfully request that the
20 Court set the deadline for the Department to answer or otherwise respond to the Complaint as
21 March 4, 2024.

22 6. Plaintiffs do not oppose this Motion.

1 DATED this 19th day of January, 2024.

2 PACIFICA LAW GROUP LLP

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4 By: s/Zachary J. Pekelis
5 Zachary J. Pekelis, WSBA No. 44557
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7 *Attorneys for Defendants*
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23 UNOPP. MOTION AND [PROP.] ORDER TO
24 EXTEND DEF. DOC ANSWER DEADLINE - 3
25 No. 3:23-cv-06186-MLP

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~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED:

The Unopposed Motion is APPROVED and ADOPTED.

Defendant Department of Corrections' deadline for answering or otherwise responding to Plaintiffs' Complaint, Dkt. #1, is hereby extended to March 4, 2024.

DATED this 22nd day of January, 2024.



MICHELLE L. PETERSON
United States Magistrate Judge